

PATENT  
Attorney Docket No. 04853.0134-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Group Art Unit: 1762  
Satoshi KADOTANI, et al. )  
Application No.: 10/588,150 )  
For: METHOD AND APPARATUS FOR ) Confirmation No.: 5046  
FORMING CATALYST LAYER ON SUBSTRATE )  
CONSTITUTING MEMBRANE ELECTRODE )  
ASSEMBLY )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing, which were already provided to and accepted by the USPTO on January 9, 2008. This Information Disclosure Statement refers to an IDS that was filed on January 9, 2008, after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the present Information Disclosure Statement includes a statement as specified by Section 1.97(e).

The following constitutes the statement specified by 37 C.F.R. § 1.97(e). Each document listed in the January 9, 2008 Information Disclosure Statement was first cited in a communication from the German Patent Office in a counterpart foreign application, and the January 9, 2008 Information Disclosure Statement was filed within three months

of the mailing date of that communication, November 7, 2007, therefore, Applicants feel there is no fee due.

Alternatively, if the examiner does not recognize the above, because the January 9, 2008 IDS has been submitted after the first office action but before the mailing date of either a Final action, Quayle action, or a Notice of Allowance, Applicants authorize fees of \$180.00 to be charged to Deposit Account 06-0916.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP.

By:

  
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Dated: May 15, 2008

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b><i>Complete if Known</i></b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<i>Application Number</i>	10/588,150
				<i>Filing Date</i>	8/1/06
				<i>First Named Inventor</i>	Satoshi KADOTANI et al.
				<i>Art Unit</i>	1753
				<i>Examiner Name</i>	
Sheet	1	of	1	<i>Attorney Docket Number</i>	04853-0134-00000

## **U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	BA	WO 00/26982 A2	05-11-2000	Siemens Aktiengesellschaft	Translation at back)	X
	BB	DE 102 43 100 A1	04-10-2003	Toyota Jidosha K.K.		X
	BC					
	BD					

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
	CA	Office Action for the corresponding German patent application No.112005000257.8-45 dated November 7, 2007	X
	CB		
	CC		
	CD		
	CE		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.